

Gabriel Reyes C-88996
P.B.S.P. SHU DS-121
P.O. Box 7500
Crescent City, CA. 95531
IN PRO PER

FILED
08 JUL 21 PM 4:47
RICHARD W. HICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT NORTHERN
DISTRICT OF THE STATE OF CALIFORNIA

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Gabriel Reyes)
Plaintiff,)
Vs.)
Joe Mc Grath, Warden, et al.)
Defendants)
Case NO. C-07-3932 PJH (PR)
EX Parte Motion For
Request for Summons and Service
of Complaint: In alternative
Request for status update

Now comes Gabriel Reyes, Plaintiff in the above titled matter filed in this honorable court almost a year ago on July 31, 2007.

Plaintiff now urges and moves this court to order summon and service on the defendants in this matter as Plaintiff has shown and proven under the liberal construsion standard every reasonable doubt that the facts set forth in his complaint would entitle the Plaintiff to relief (Haines v. Kerner, (1972) 404 U.S. 519; King v. Atiyeh (9th. cir 1987) 814 F.2d. 565).

Plaintiff has made motion to proceed in forma pauperis that has yet to be heard by this court. However, in another complaint filed at the same time as the instant, this court did grant Plaintiff such leave to proceed, therefore Plaintiff has every reason to believe that this court will now grant the same in this case.

In the alternative to granting Plaintiffs request for issuance of summons and service of Complaint, Plaintiff request that he be given a status update of this matter and that this court recognize Plaintiffs due diligence in Pursuing his Complaint.

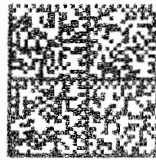
July 17, 2008

Respectfully Submitted:
(S) Gabriel Reyes
Gabriel Reyes

Gabriel Reyes C88916
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LEGAL MAIL"
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PELICAN BAY STATE PRISON
5905 Lake Earl Dr
Crescent City CA 95532



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San Francisco, Ca. 94102

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c/o R. ALLEN
ATTENTION: HOUSING UNIT 17-08
UNIT D-5